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4 FEDERAL TRADE COMMISSION,  
5 Plaintiff,  
6 v.  
7 MICROSOFT CORPORATION, et al.,  
8 Defendants.

9 Case No. 23-cv-02880-JSC  
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**12 ORDER RE: NINTENDO'S MOTION  
13 FOR A PROTECTIVE ORDER AND  
14 FTC'S PROPOSED FINDINGS**

15 Dkt. No. 266  
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18 Non-party Nintendo of America Inc. ("Nintendo") moves for a protective order "to keep  
19 sealed" information designated confidential in Plaintiff FTC's initial proposed findings of fact and  
20 conclusions of law (Dkt. No. 175). (Dkt. No. 266.) Nintendo asserts and the record supports that  
21 the FTC did not file the requisite motion requesting to seal another party's material. (*Id.* at 2.)

22 A protective order is insufficient to establish that a portion of a document is sealable. *See*  
23 Civ. L.R. 79-5(c). Further, a protective order is unnecessary as the FTC filed a partially redacted  
24 version of the document and Nintendo has made no argument that any of the unredacted material  
25 is confidential. *See* Dkt. No. 266 (requesting "[its confidential] information to remain redacted on  
the Court's public docket"). Accordingly, the Court DENIES Nintendo's request for a protective  
order.

26 The FTC is ORDERED to indicate where in the record it has requested to seal information  
27 in its proposed findings (Dkt. No. 175) or to file a motion in accordance with Civil Local Rule 79-  
28 5(f) one week from the date of this order.

29 This Order disposes of Docket No. 266.  
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1           **IT IS SO ORDERED.**

2           Dated: July 24, 2023

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6           JACQUELINE SCOTT CORLEY  
7           United States District Judge

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United States District Court  
Northern District of California